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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/767,127	01/28/2004	Vidya Narayanan	CM05054H	4361
22917	7590	09/19/2007	EXAMINER	
MOTOROLA, INC. 1303 EAST ALGONQUIN ROAD IL01/3RD SCHAUMBURG, IL 60196			AJAYI, JOEL	
			ART UNIT	PAPER NUMBER
			2617	
			NOTIFICATION DATE .	DELIVERY MODE
			09/19/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Docketing.Schaumburg@motorola.com  
APT099@motorola.com

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/767,127	NARAYANAN ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Joel Ajayi	2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 05 July 2007.
- 2a) This action is FINAL.                  2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-12 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_

### **DETAILED ACTION**

This action is in response to Applicant's amendment filed on July 05, 2007. **Claims 1-12** are still pending in the present application. **This action is made FINAL.**

#### *Response to Arguments*

Applicant's arguments filed July 05, 2007 have been fully considered but they are not persuasive.

The argument features injecting an updated route to the anycast address into the routing infrastructure each time the first device moves to a different subnet; and sending a binding update to the second device informing the second device of the anycast address.

The examiner respectfully disagrees with the applicant's statement and asserts that Gage et al. discusses that the mobile device issues a location report when the mobile device changes location/route, the location report includes the unicast address or anycast address, in the case of multiple location updating units (paragraph 64, lines 7-14); this updated information is sent to the network edge router via the location updating unit(s) (paragraph 63, lines 8-14), which in turn stores the latest information in its routing table (paragraph 70, lines 7-20). Gage et al. discusses that the mobile device sends its current position location data to the network router/element (paragraph 63, lines 8-14).

In view of the above, the rejection using Gage is maintained as repeated below.

#### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

**Claims 1-12** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Gage et al. (U.S. Patent Application Number: 2002/0068584)** in view of **Forslow (U.S. Patent Application Number: 2002/0069278)**.

Consider **claim 1**; Gage discloses a system comprising at least a first device (wireless device), a second device (network edge router) (paragraph 63, lines 8-14), and a routing infrastructure comprising a plurality of routers (intermediate routers; fig. 1) used to communicate information between the first device and the second device (paragraph 63, lines 8-14), a method

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comprising the steps of: at the first device (paragraph 64, lines 7-14); receiving an anycast address (in order for the wireless device to use the anycast address, it has to receive it) (paragraph 64, lines 7-14); injecting an updated route to the anycast address into the routing infrastructure each time the first device moves to a different subnet (paragraph 63, lines 8-14; paragraph 70, lines 7-20); sending a binding update to the second device informing the second device of the anycast address (paragraph 63, lines 8-14); and receiving information from the second device via the anycast address regardless of a location of the first device in the system (paragraph 64, lines 7-14).

Gage fails to disclose roaming to a different subnet.

In the same field of endeavor Forslow clearly discloses roaming to a different subnet (paragraph 27, lines 17-37).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teachings of Forslow into the method of Gage in order to provide secure communication to and within an overlaid workgroup network while applying mobility management.

Consider **claim 2**; Gage discloses that the anycast address is topologically independent (paragraph 63, lines 1-14).

Consider **claim 3**; Gage discloses that the anycast address remains constant while the first device is powered on (paragraph 64, lines 7-14).

Consider **claim 4**; Forslow discloses the second device is a home agent for the first device (paragraph 27, lines 17-37).

Consider **claim 5**; Gage discloses that the second device is a correspondent device in the system (paragraph 70, lines 7-20).

Consider **claim 6**; Gage discloses that the step of receiving an anycast address is performed when the first device is powered on (paragraph 63, lines 8-14).

Consider **claim 7**; Gage discloses that the step of receiving an anycast address is performed when the first device roams to a first foreign subnet (paragraph 64, lines 7-14).

Consider **claim 8**; Forslow discloses that the anycast address is an anycast care-of-address (paragraph 27, lines 17-37).

Consider **claim 9**; Forslow discloses that the anycast address is an anycast care-of-address (paragraph 27, lines 17-37; paragraph 100, 14-16).

Consider **claim 10**; Gage discloses that the location of the first device is transparent to the second device (paragraph 70, lines 7-20).

Consider **claim 11**; Gage discloses attaching to a mobile router (paragraph 63, lines 8-14); and receiving information from the second device via an address assigned to the mobile router (paragraph 63, lines 8-14).

Consider **claim 12**; Gage discloses de-attaching from the mobile router (paragraph 64, lines 7-14); attaching to a new subnet (paragraph 64, lines 7-14); injecting an updated route to the anycast address into the routing infrastructure (paragraph 63, lines 8-14); and receiving information from the second device via the anycast address (paragraph 70, lines 7-20).

*Conclusion*

Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Joel Ajayi whose telephone number is (571) 270-1091. The Examiner can normally be reached on Monday-Thursday from 7:30am to 5:00pm and Friday 7:30am to 4:00 pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Charles Appiah can be reached on (571) 272-7904. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR

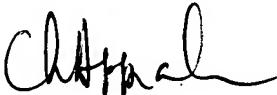
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system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

*Joel Ajayi*

September 10, 2007

  
CHARLES N. APPIAH  
SUPERVISORY PATENT EXAMINER